

**United States District Court for the
District of Delaware**

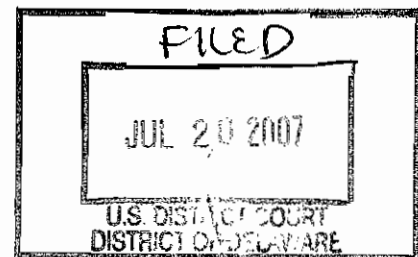
John H. Benge, Jr.,
Petitioner Below

v.

Michael DeLoy, Warden,
Sussex Correctional
Institution; and
Joseph R. Biden, III,
Attorney General Of The
State Of Delaware,

Respondents Below

Civil Action No.
05-0550 (GMS)




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Notice of Appeal

Notice is hereby given that John H. Benge, Jr., Petitioner in the above named case, hereby appeals to the United States Court of Appeals for the Third Circuit from the final judgment dismissing Petitioner's *habeas corpus* petition entered in this action on the 22nd day of June, 2007.

Date: July 19, 2007



John H. Benge, Jr.
Sussex Correctional Inst.
P.O. Box 500
Georgetown, DE 19947

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached Notice of Appeal was served on July 19, 2007 by depositing the same in the prisoner mail dropbox at Sussex Correctional Institution, Georgetown, Delaware, first class mail, postage prepaid, and addressed to:

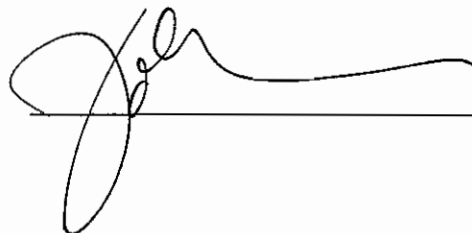
Thomas E. Brown, Esq.
Deputy Attorney General
Department of Justice
820 North French Street
Wilmington, DE 19801

With a copy to:

The Honorable Gregory M. Sleet
United States District Court for
the District of Delaware
844 North King Street, Lockbox 19
Wilmington, DE 19801

I hereby certify under penalty of the laws of the United States of America that the foregoing is true and correct.

Executed on July 19, 2007

A handwritten signature in black ink, appearing to be "T. E. Brown", is written over a horizontal line.